



# COPS Facts

## COPS Retention Plan Guidelines

### What is the Retention Requirement?

The retention requirement is a condition of COPS hiring and redeployment grant programs. It means that when an agency accepts a COPS grant, they commit their jurisdiction to retaining the additional COPS-funded officer and/or civilian positions with state or local funding following the conclusion of Federal support at the end of the grant period. Simply placing the COPS officer and/or civilian positions on the agency's locally-funded staff through attrition is not an acceptable approach to meeting the retention requirement of the grant. COPS officer and/or civilian positions are to be retained over and above the previously locally-funded number of positions in the law enforcement agency, thereby adding a permanent increase to the number of sworn officer and/or civilian positions serving the community.

This applies to: COPS AHEAD; FAST; UHP; MORE '95; MORE '96; and MORE '98. Phase I grantees submitted retention plans with their grant applications and should follow through with those plans. If circumstances arise which appear to prevent retention, grantees should immediately notify their COPS grant advisor.

It does not apply to: the Youth Firearms Violence Initiative; Community Policing to Combat Domestic Violence; the Anti-Gang Initiative; Problem-Solving Partnerships; Advancing Community Policing; School-Based Partnerships; and the Methamphetamine Program.

### Why the Retention Requirement?

The Public Safety Partnership and Community Policing Act of 1994 mandates that positions for officers, and other newly-created civilian positions and proposed redeployment, should be maintained by localities beyond the federal funding period. The local match and the provision of a decreasing Federal share enable communities to adequately

plan for paying the full cost of salaries and benefits of the additional positions once the grant has expired.

### Where is information on the Retention Requirement?

When an agency applies for and accepts a COPS grant, the agency submits retention information on some or all of the following documents: budget summary sheets, with the decreasing Federal share and increasing local match; the signed award page, agreeing to grant conditions of which retention planning was one; the Department Annual Report; and the Community Policing Information Worksheet. Please understand that agencies must follow through with these plans and the grant conditions as agreed upon when they accepted the grant.

### Planning for Retaining the COPS positions

In terms of planning to retain, this means that an agency entered or must enter the grant program with the understanding that they are required to seek state or local funding to add the officer and/or civilian positions to their local budget after the COPS grant period ends. The planning must be a legitimate attempt by the law enforcement agency and its governing body (the city, county, town or borough, for example) to secure and provide funding to continue the employment of the additional officer and/or civilian positions at the conclusion of the grant period.

Since the COPS statute requires agencies to retain the COPS-funded officer and/or civilian positions with state or local funding sources at the conclusion of federal support, UHP, MORE '98, Advancing Community Policing, Local Law Enforcement Block grants (LLEBG), Community Development Block grants (CDBG), or any other sources of federal funding cannot be used to retain the COPS-funded positions.

## The Retention Plan and Grant Monitoring

All COPS hiring and redeployment grant programs require official/formal documentation of retention planning. This may consist of documents indicating the agency's intent to retain the COPS-funded officer and/or civilian positions at the conclusion of the grant period. The documentation may include the following: relevant sections of official transcripts from governing body meetings; interoffice memoranda; or official budget documents. The agency must also submit these documents along with a written assurance from the government authority that the officer and/or civilian positions under the grant will be retained at the conclusion of the grant period.

As part of COPS monitoring efforts, U.S. Department of Justice representatives regularly review these types of documents as indicators of a retention plan. Retention planning is a condition of the grant award, and is a compliance requirement. Failure to document efforts to retain, or if an agency is found to have made no efforts to retain, may result in the suspension of existing grant funds, rejection of pending applications, ineligibility for further funding and any other remedies the Department deems appropriate. The COPS Office may contact grantees up to three years after the conclusion of their grant to determine the effectiveness of their retention plan. For audit purposes, records must also be available for review up to three years after the conclusion of the grant.

### Examples of Planning for Retention

Agencies across the country are "planning" to retain the COPS-funded officer and/or civilian positions in a variety of ways. Examples of "planning" for retaining the officer and/or civilian positions include the following:

- Applying for other non-federal funding sources, such as state grants, to support the additional officer and/or civilian positions at the termination of the COPS grant (for example, several state legislatures have passed or proposed comprehensive crime fighting legislation to help law enforcement agencies in their respective states retain their COPS-funded officers and/or civilians)

- Adding the COPS officer and/or civilian positions to the agency's request for local funding during local budget negotiations a fiscal year prior to the COPS grant expiration;

- Using asset forfeiture funds;

- Seeking additional law enforcement funding from private sources, including corporate, non profit and foundation donations or grants; and

- Local revenue initiatives

### Financial Inability to Implement a Retention Plan

We recognize that local fiscal and budgetary conditions cannot always be predicted with certainty. If circumstances arise which prevent the retention of officer and/or civilian positions at the conclusion of the grant, grantees are asked to immediately contact the COPS Office for a review of their retention plan and implementation efforts. These situations will be evaluated on a case-by-case basis. Generally, the COPS Office will not penalize grantees that have experienced natural disasters and/or severe and unforeseen fiscal conditions.

### Questions Regarding the Retention Requirement

During the grant term, grantees are required to complete Progress Reports which provide the COPS Office with information regarding general grant implementation and, specifically, with information on "planning" for retention. If there are any questions about the retention plan requirement, review the Grant Owner's Manual for that particular grant program, or contact your grant advisor.

### Information

For more information, please call the U.S. Department of Justice Response Center at 1-800-421-6770, or visit the COPS web site at: <http://www.usdoj.gov/cops/>

The Small Community Grant Program (SCGP) is a one-time grant program from the U.S. Department of Justice, created to address retention issues in smaller communities with a population under 50,000. As a result, \$100 million was appropriated to assist specific agencies in retaining officers and continuing the public safety programs implemented under the existing COPS grants for an additional year of funding. Those eligible agencies were identified and sent applications in early April 1998.